

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

ELEN IP LLC ,

Plaintiff,

v.

1. ARVINMERITOR, INC.;
2. BEALL CORPORATION;
3. BENDIX COMMERCIAL VEHICLE  
SYSTEMS, LLC;
4. HALDEX BRAKE PRODUCTS  
CORPORATION;
5. HALDEX GARPHYTTAN  
CORPORATION;
6. KENWORTH TRUCK COMPANY;
7. MERITOR WABCO VEHICLE  
CONTROL SYSTEMS;
8. NAVISTAR INTERNATIONAL  
CORPORATION;
9. PACCAR INC.;
10. PERFORMANCE TRAILERS, INC.;
11. PETERBILT MOTORS COMPANY;
12. PREVOST CAR (US), INC.;
13. VOLVO TRUCKS NORTH AMERICA,  
INC.;
14. WABCO HOLDINGS INC.; and
15. WALKER GROUP HOLDINGS LLC;

Defendants.

Case No. 2:11-cv-00140-RSM

**STIPULATION AND ORDER RE:  
MODIFIED  
SCHEDULING ORDER**

**I. STIPULATION**

On August 23, 2011, the Court entered an order setting forth a Modified Scheduling Order staying general discovery and setting forth deadlines for a first round of summary judgment motions. On October 25, 2011 the Court entered an Order modifying the dates

of the Modified Scheduling Order deadlines. The Parties now request that certain of the deadlines contained in that October 25 Order be extended to assist the parties in early resolution of the case.

The Parties propose the Court enter the following modified scheduling order:

1. Plaintiff shall serve Infringement Contentions on or before January 6, 2011;
2. Defendants shall file motions for summary judgment (if any) on or before January 20, 2012;
3. Plaintiff shall file responses to any motion for summary judgment filed under paragraph 2 above on or before February 10, 2012;
4. Defendants shall serve invalidity contentions on or before February 10, 2012;
5. Defendants shall file reply briefs (if any) on or before February 24, 2012;
6. The stay of general discovery shall end May 9, 2012.
7. If the above numbered cause is not resolved either through voluntary dismissal by plaintiff, stipulation of the parties, or by entry of summary judgment the Court; the parties shall submit a proposed schedule to the Court to prepare the case for claim construction and trial.

DATED this \_\_\_\_\_ day of November, 2011.

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Of Attorneys for the Haldex defendant group

### ORDER

Upon stipulation of the parties, and good cause appearing, IT IS ORDERED that certain deadlines in Modified Scheduling Order entered by the Court on August 23, 2011 and modified by the Court on October 25, 2011 are extended as follows:

1. Plaintiff shall serve Infringement Contentions on or before January 6, 2012;
2. Defendants shall file motions for summary judgment (if any) on or before January 20, 2012;
3. Plaintiff shall file responses to any motion for summary judgment filed under paragraph 2 above on or before February 10, 2012;
4. Defendants shall serve invalidity contentions on or before February 10, 2012;
5. Defendants shall file reply briefs (if any) on or before February 24, 2012;
6. The stay of general discovery shall end May 9, 2012.
7. If the above numbered cause is not resolved either through voluntary dismissal by plaintiff, stipulation of the parties, or by entry of summary judgment the

Court; the parties shall submit a proposed schedule to the Court to prepare the case for claim construction and trial.

IT IS ORDERED that the scheduling order shall be modified as laid out above.

Dated this 29 day of November 2011.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE

Presented by:

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